HIGH COURT OF CHHATTISGARH AT BILASPUR

S.A. No. 304/2005

Single Bench: **Hon'ble Shri Dilip Raosaheb Deshmukh, J.**

Appellants Defendants :

1. Bahadur Patel, S/o – Salik Ram Patel, aged about – 60 years.
2. Ramesh Patel, S/o-Bhadur Patel, aged about-35 years.
3. Jeevan Paatel, S/o – Bhadur Patel, aged about 32 years.

All are agriculturist by profession and resident of village Gobarsinga, Tehsil – Sarangarh, District – Raigarh, Chhattisgarh.

VERSUS

Respondents/ Plaintiffs :

1. Sitaram Patel, S/o – Shambhunath Patel, aged about – 60 years, Occupation – Agriculturist, Resident of – Gobarsinga, Tehsil – Sarangarh, District – Raigarh, Chhattisgarh.
2. Nonimati, D/o – Shambhunath Patel, Wife of – Janakram Patel, aged about – 42 years, occupation – Housewife, Resident of – Village Salhaipali, Tehsil – Bargarh, District – Bargarh, Chhattisgarh.
3. Haripriya, D/o – Shambhunath Patel, Wife of – Ram Kumar Aghariya, aged about – 45 years, Occupation – House wife, Resident of – Village Dansara, Tehsil –Sarangarh, District- Raigarh, Chhattisgarh.
4. Radhapriya, D/o – Shambhunath Patel, Wife of – Tarachand Aghariya, aged about – 44 years, Occupation – House wife, Resident of – Village Mohra, Tehsil and District – Bilaspur, Chhattisgarh.
5. State of Chhattisgarh, Through: Collector, Raigarh, Chhattisgarh.

Present: Shri Kishore Bharduri, learned counsel for the appellants.
Shri R. S. Patel, counsel for respondents for 1 to 4.

ORAL ORDER
(Passed on 21st March, 2007)

1. Heard on admission. A concurrent finding was recorded by both the Courts below declaring the plaintiff/respondents herein as the holder of the title over the suit land and injuncting the appellant/defendants herein from interfering in the possession of the suit land.

2. I have perused the record of civil suit No. 43A/2003 and of the considered opinion that the finding recorded by both the Courts below is based on proper appreciation of evidence, documentary as well as oral on record and that no substantial question of law is involved in this appeal and the findings recorded by both the Courts below are purely findings of fact.

3. In this view of the matter, this appeal being devoid of merit is dismissed at the stage of admission. There shall be no order as to costs.

4. In view for the above, I.A. Nos. 1779/2005 for urgent hearing and 3214/2006 for out of turn listing the case stand disposed of.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Priya